

10/522234 #3

Customer No. 22,852

Attorney Docket No. 09471.0018

DT01 Rec'd PCT/PTC 25 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Florence GUIMBERTEAU et al.

Application No.: Not Yet Assigned

Filed: January 25, 2005

National Stage of International Application No.
PCT/FR2003/002384 under 35 U.S.C. 371,
for MICROCAPSULES WITH MODIFIED
RELEASE OF ACTIVE PRINCIPLES WITH
LOW SOLUBILITY FOR ORAL DELIVERY

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With the exception of the U.S. patents, copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

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1. WIPO Publication No. WO 02/39984 A2 - An English language abstract of this document is enclosed.
2. WIPO Publication No. WO 02/94285 A1 - An English language abstract of this document is enclosed.
3. European Patent Publication No. EP 0 207 041 A2
4. French Patent Publication No. FR 2 313 915
5. French Patent Publication No. FR 2 670 112

In lieu of a statement of relevance or the translation of the non-English documents, enclosed is an international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 25, 2005

By: 

Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/sci

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	Not Yet Assigned
Filing Date	January 25, 2005
First Named Inventor	Florence GUIMBERTEAU et al.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	09471.0018

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,321,253	03-23-1982	BEATY	
		US-4,748,023	05-31-1988	TAMÁS et al.	
		US-6,022,562	02-08-2000	AUTANT et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/094285 A1	11-28-2002	CASTAN et al.		ABSTRACT
		WO 02/39984 A2/A3	05-23-2002	CASTAN et al.		ABSTRACT
		EP 0 207 041 A2/A3	12-30-1986	DEBOECK et al.		NO
		FR 2 313 915	01-07-1977	CORNEILLE		NO
		FR 2 670 112 A1	06-12-1992	POLI et al.		NO

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.